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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

IN RE APPLICATION OF  
MURCHINSON LTD., APPLICANT,  
FOR AN ORDER PURSUANT TO 28  
U.S.C. § 1782 TO TAKE  
DISCOVERY FOR USE IN A  
FOREIGN PROCEEDING.

Case No. 2:23-mc-00191-SB-PD

**STIPULATED ORDER REGARDING THE  
PARTIES' INFORMAL DISCOVERY  
CONFERENCE**

Judge: Hon. Stanley Blumenfeld, Jr.  
Magistrate Judge: Hon. Patricia Donahue

1 The Court held an informal discovery conference on May 15, 2024, regarding the  
 2 subpoena (“Subpoena”) served by Murchinson Ltd. (“Murchinson”) on The Donerail  
 3 Group (“Donerail”) on February 27, 2024, pursuant to 28 U.S.C. § 1782. Murchinson,  
 4 Donerail, and Nano Dimension, Ltd. (“Nano”) appeared at the informal discovery  
 5 conference and were represented by counsel.

6 The Court, having considered the pleadings in this matter and all arguments and  
 7 papers submitted, and good cause appearing therefore,

8 **IT IS HEREBY ORDERED** that:

9 1. Donerail shall serve Murchinson and Nano with its production of documents  
 10 responsive to the Subpoena within one (1) day of the date of this Order.

11 2. Donerail’s production to Murchinson will be subject to “attorneys’ eyes  
 12 only” designation and may be reviewed only by James G. Munisteri, Kevin Jackson,  
 13 Roland Potts, Brantley A. Smith, Tam Wheat, and Hilary Leffue of Foley & Lardner  
 14 LLP, and Mark Lichtenstein, subject to Mr. Lichtenstein’s execution of the  
 15 “Acknowledgement and Agreement to be Bound” (attached to this Order as Exhibit A).

16 3. Within five (5) business days of receiving Donerail’s production of  
 17 documents, Nano shall identify its objections to the produced documents, if any, to  
 18 Murchinson’s counsel of record.

19 4. If the parties are unable to reach a resolution after good faith efforts to meet  
 20 and confer on Nano’s objections, then no later than seven (7) business days of receiving  
 21 Donerail’s production of documents Nano and Murchinson must e-mail the Court at  
 22 **pdchambers@cacd.uscourts.gov** seeking an informal discovery conference. The email  
 23 must include the following:

- 24 a. Three separate proposed dates and times mutually agreed upon by the
- 25 parties for the conference;
- 26 b. A neutral statement of each issue in dispute; and
- 27 c. A brief description of each party’s position on the dispute(s). Each
- 28 party’s description should be no more than 3 sentences per dispute

and may include citations to pertinent authority.

5. If Nano does not serve Murchinson with objections within five (5) business days of receiving Donerail's production of documents, then the production will cease to be designated as "attorneys' eyes only," as described above.

6. At all times, Donerail's production will be subject to the Stipulated Protective Order entered by the Court on May 15, 2024, ECF No. 28, and subject to appropriate designation by Donerail.

7. Nano's Notice of Motion and Motion for Leave to Intervene is hereby stayed pending further order from the Court.

**IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.**

Dated: May 16, 2024

AKIN GUMP STRAUSS HAUER & FELD LLP

By: /s/ Marshall L. Baker

Marshall L. Baker

Attorney for The Donerail Group LP

Dated: May 16, 2024

FOLEY & LARDNER LLP

By: /s/ James G. Munisteri

James G. Munisteri

Attorney for Murchinson Ltd.

Dated: May 16, 2024

GREENBERG TRAUIG, LLP

By: /s/ Rick L. Shackelford

Rick L. Shackelford

Attorney for Nano Dimension, Ltd.

**STATEMENT OF ATTESTATION**

Pursuant to Local Rule 5-4.3.4(a)(2)(i), I hereby attest that all other signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

Dated: May 16, 2024

/s/ James G. Munisteri

James G. Munisteri

**IT IS SO ORDERED.**

Dated: May 17, 2024

Patricia Donahue

Hon. Patricia Donahue

United States Magistrate Judge

**EXHIBIT A****ACKNOWLEDGMENT AND AGREEMENT TO BE BOUND**

I, \_\_\_\_\_ [full name], of \_\_\_\_\_ [full address], declare under penalty of perjury that I have read in its entirety and understand the Order that was issued by the United States District Court for the Central District of California in the case of *In Re Application Of Murchinson Ltd., Applicant For An Order Pursuant To 28 U.S.C. § 1782 To Take Discovery For Use In A Foreign Proceeding*, 2:23-mc-00191-SB-PD. I agree to comply with and to be bound by all the terms of this Order and I understand and acknowledge that failure to so comply could expose me to sanctions and punishment in the nature of contempt. I solemnly promise that I will not disclose in any manner any information or item that is subject to this Order to any person or entity except in strict compliance with the provisions of this Order.

I further agree to submit to the jurisdiction of the United States District Court for the Central District of California for the purpose of enforcing the terms of this Order, even if such enforcement proceedings occur after termination of this action. I hereby appoint \_\_\_\_\_ [full name] of \_\_\_\_\_ [full address and telephone number] as my California agent for service of process in connection with this action or any proceedings related to enforcement of this Order.

Date: \_\_\_\_\_

City and State where signed: \_\_\_\_\_

Printed name: \_\_\_\_\_

Signature: \_\_\_\_\_